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DEPARTMENT OF
WATER RESOURCES

Attorneys for Seward Prosser Mellon

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In the Matter of:

Issuance of License No. 67-14279; in the name
of: SEWARD PROSSER MELLON

Water Right No. 67-14279

**PETITION FOR RECONSIDERATION –
LICENSE NUMBER 67-14279**

Seward Prosser Mellon, by and through his counsel of record, MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHARTERED, and in accordance with IDAPA 37.01.01.730, hereby files a Petition for Reconsideration of the preliminary order issued for License Number 67-14279. Specifically, Mr. Mellon requests that the Department correct the ownership element of that water right.

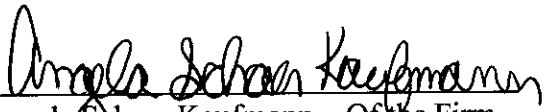
When the Application for Permit was filed, Mr. Mellon was the only owner listed thereon. (Exhibit A hereto.) Similarly, when the Department issued its permit for Water Right Number 67-14279, Mr. Mellon was listed as the sole owner of the water right. However, when

the right was licensed, Gerald T. Ellermeyer and Richard K. Mellon & Sons were added as owners. This is incorrect; neither Mr. Ellermeyer (a now-retired employee of Mr. Mellon) nor Richard K. Mellon & Sons are owners of the property described in the place of use nor of Water Right Number 67-14279.

Therefore, Mr. Mellon respectfully requests that the Department correct the ownership element of this water right by removing Gerald T. Ellermeyer and Richard K. Mellon & Sons from the ownership element.

DATED this 13th day of July, 2005.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

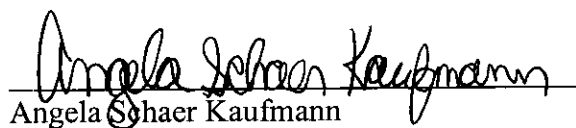
By 
Angela Schaer Kaufmann – Of the Firm
Attorneys for Seward Prosser Mellon

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of July, 2005, I caused a true and correct copy of the foregoing **PETITION FOR RECONSIDERATION – LICENSE NUMBER 67-14279** to be served by the method indicated below, and addressed to the following:

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front Street
PO Box 83720
Boise, ID 83720-0098
Facsimile: 208/287-6700

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Angela Schaer Kaufmann